

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

EUGENIO VARGAS	§	
	§	
VS.	§	ACTION NO. 4:22-CV-430-Y
	§	
ASSOCIATION OF PROFESSIONAL	§	
FLIGHT ATTENDANTS, ET AL.	§	

ORDER GRANTING MOTION FOR LEAVE TO AMEND AND
DENYING MOTION TO DISMISS AS MOOT BUT WITHOUT PREJUDICE

Pending before the Court is the Motion for Leave to File Amended Answer and Counterclaim (doc. 108), which was filed by defendants Association of Professional Flight Attendants ("APFA"), Julie Hedrick, and Eric Harris (collectively, "Defendants"). After review of the motion, the related briefs, and the applicable law, the Court is not persuaded, as Plaintiff contends, that the amendment is futile. Consequently, the Court concludes that Defendants' motion should be, and it is hereby, GRANTED. Defendants' Amended Answer and the First Amended Counterclaim of APFA is DEEMED filed this same day, and the clerk of the Court is DIRECTED to file a copy of the amended pleading, which was attached as an exhibit to the motion for leave. See N.D. Tex. L. Civ. R. 15.1(b).

Additionally, in light of the filing of APFA's First Amended Counterclaim, the Court concludes that Plaintiff's Second Motion to Dismiss (doc. 107), which challenges the prior version of the counterclaim, should be, and it is hereby, DENIED as moot but without prejudice.

SIGNED October 18, 2023.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE